IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

Bail Appl..No. 6970 of 2007()

CMP.5156/2007 of J.M.F.C., SASTHAMCOTTA
[CRIME NO.567/2007 OF SASTHAMCOTTA POLICE STATION]

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: PETITIONER/ACCUSED:

PRASAD, S/O. KUMARAN,
KAITHAVILA VEEDU, THUPPAYIPPURAM COLONY,
THEKKAN MYNAGAPPALLY MURI, MYNAGAPPALLY VILLAGE.

BY ADV. SRI.C.RAJENDRAN

RESPONDENTS: COMPLAINANT:

THE STATE OF KERALA,
REP. BY THE ASSISTANT SUB INSPECTOR OF POLICE,
SASTHAMCOTTA THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.6970 of 2007

Dated this the 14th day of November 2007

O R D E R

Application for regular bail. The petitioner faces allegations for offences punishable under Sections 341, 294(b) and 308 I.P.C. The alleged incident took place on 12/10/2007. The de facto complainant was wrongfully restrained and abused uttering obscene words. Later, he was slapped on the face. The de facto complainant tried to prevent the accused. The accused allegedly took out a knife from his hip and tried to stab on the chest of the de facto complainant. That stab was blocked and the de facto complainant suffered injuries on the left wrist and left elbow. Investigation is in progress. The petitioner was arrested on 26/10/2007. Investigation is not complete yet. The petitioner continues in custody from that date.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and appropriate safeguards may be provided and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 24/11/2007. The investigating officer shall, within the said period of ten days, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.75,000/- (Rupees seventy five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of two months from the date of his release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007